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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,689	06/04/2001	Kevin A. Deats	10005683-1	4778

7590 02/08/2007
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

GOLD, AVI M

ART UNIT	PAPER NUMBER
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2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/873,689	DEATS, KEVIN A.	
	Examiner	Art Unit	
	Avi Gold	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the appeal filed on October 26, 2006. Claims 1-3 and 5-20 are pending.

Response to Amendment

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Poisner, U.S. Patent No. 6,842,776.

Poisner teaches the invention as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract).

Regarding claims 1 and 17, Poisner teaches a method for reporting event data to requesting subscribers using a manufacturing repository for collecting event data that is connected to a subscriber profile system for storing information relating to subscribers

and a production system for storing information relating to manufacturing, comprising;
and a computer program product comprising a computer usable medium having
computer readable program codes embodied in the medium that when executed causes
a computer to:

gathering event data from a plurality of devices connected to the manufacturing
repository, the event data relating to events that have occurred at the peripheral devices
(col. 4, lines 30-33, Poisner discloses a database collecting information regarding the
maintenance and usage history of devices);

saving the event data to a database (col. 4, lines 30-33);

automatically notifying designated subscribers about logged events according to
criteria indicated by subscriber profiles (col. 4, lines 50-56, Poisner discloses users
automatically receiving reports based on information collected in the database); and,

selectively generating periodic subscription reports according to criteria indicated
by the subscriber profiles (col. 4, lines 41-56, Poisner discloses periodic reports
generated); and

automatically sending periodic subscription reports to designated subscribers
according to criteria indicated by the subscriber profiles (col. 4, lines 41-56).

Regarding claim 2, Poisner teaches the method according to claim 1 wherein the
event data comprises information relating to any one from the group of region,
manufacture, model or customer identification (col. 4, lines 30-34, Poisner discloses
information collected related to the manufacturer of the device).

Regarding claim 3, Poisner teaches the method according to claim 1 wherein the subscription report comprises information in the form of text, tables, charts and/or graphs (col. 4, lines 41-56).

Regarding claim 9, Poisner teaches the method according to claim 1, further comprising, prior to gather event data:

receiving the event data by the manufacturing repository (col. 4, lines 30-56).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner further in view of Grasso et al., U.S. Patent No. 5,892,909.

Poisner teaches the invention substantially as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract).

As to claims claim 5, Poisner teaches the method according to claim 1

Poisner fails to teach the limitation further including the limitations further comprising the steps: receiving a request to set up or change a subscriber profile; receiving new subscriber information and entering it to a subscriber profile; and saving the new subscriber profile to the manufacturing repository.

However, Grasso teaches systems and methods for managing delivery of time-sensitive business-critical information to multiple individuals located at various locations (see abstract). Grasso teaches the use of subscriber profiles that can be modified and receive new information that is saved (col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Poisner in view of Grasso to receive a request to set up or change a subscriber profile; receive new subscriber information and enter it to a subscriber profile; and save the new subscriber profile to the manufacturing repository. One would be motivated to do so because it would allow for accurate corrections and new additions to the subscriber database.

Regarding claim 6, Poisner teaches the method according to claim 5 wherein said step of entering new subscriber information:

entering contact information of the subscriber (col. 13, line 54 – col. 14, line 7, Grasso discloses addresses entered of the recipient);

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entering subscriber's desired notification request (col. 24, lines 17-35, Grasso discloses the ability to change notification preferences);

entering subscription report criteria (Poisner, col. 4, lines 41-56); and

entering designated time cycle for subscription report (Poisner, col. 4, lines 41-56).

Regarding claim 7, Poisner teaches the method according to claim 6 wherein the time cycle includes any one from the group of none, daily, weekly, monthly, quarterly or yearly (Poisner, col. 4, lines 41-56).

Regarding claim 8, Poisner teaches the method according to claim 5, further comprising, prior to saving the new subscriber profile:

receiving the new subscriber profile by the manufacturing repository (Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7).

Regarding claims 10 and 18, Poisner teaches the method and computer program according to claims 1 and 17 wherein automatically notifying designated subscribers comprises:

searching the subscriber profile for notification requests for the event data according to the requested criteria;

determining whether there is any notification requests for the event data;

composing notifications for each notification request determined in the subscriber profile; and

sending out the notifications to the requesting subscriber (Poisner, col. 4, lines 30-56; Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

Regarding claim 11, Poisner teaches the method according to claim 10 further comprising idling until the manufacturing repository receives the event data (Poisner, col. 4, lines 30-56).

Regarding claim 12, Poisner teaches the method according to claim 10 wherein the requested criteria includes any one from the group of event occurrence by page count, event occurrence by region, event occurrence by manufacturing information, event occurrence by device model, or event occurrence by customer (Poisner, col. 4, lines 30-56).

Regarding claims 13 and 19, Poisner teaches the method and computer program of claims 1 and 17 the method according to claim 1 wherein generating periodic subscription reports comprises:

searching the subscriber profile for any scheduled subscription report due;
determining whether there is any scheduled subscription report due; and

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accessing information relating to the subscriber of any predetermined scheduled subscription report due (Poisner, col. 4, lines 30-56; Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

Regarding claim 14, Poisner teaches the method according to claim 13 further comprising updating information from the subscriber profile (Grasso, col. 13, line 54 – col. 14, line 7).

Regarding claim 15, Poisner teaches the method according to claim 13 further comprising:

accessing the information relating to the manufacturing repository from the production system; and

updating information from the production system (Poisner, col. 4, lines 30-56).

Regarding claim 16, Poisner teaches the method according to claim 13 further comprising:

sorting the information for the scheduled subscription report according to the criteria of the requesting subscriber profile; and

formatting the information to generate the report (Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner further in view of Barrett et al., U.S. Patent No. 5,568,612

Poisner teaches the invention substantially as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract).

As to claims 20, Poisner teaches the method of claim 1.

Poisner fails to teach the limitation further including wherein the event data comprises one or more of paper jams, low memory conditions, and undefined paper size conditions.

However, Barrett teaches a method and apparatus for advertising services of two network servers from a single network node (see abstract). Barrett teaches the use of status control information including paper jam and paper size (col. 14, lines 19-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Poisner in view of Barrett to use event data comprising one or more of paper jams, low memory conditions, and undefined paper size conditions. One would be motivated to do so because it allows for tracking of usage and statistics (Barrett, col. 14, lines 42-43).

Response to Arguments

6. In view of the appeal brief filed on October 26, 2006, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth above.

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To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,516,427 to Keyes et al.

U.S. Pat. No. 6,631,247 to Motoyama et al.

U.S. Pat. No. 6,587,735 to Yaguchi.

U.S. Pat. No. 5,155,842 to Rubin.

U.S. Pat. No. 6,779,004 to Zintel

U.S. Pat. No. 6,310,692 to Fan et al.

U.S. Pat. No. 5,647,056 to Barrett et al.

U.S. Pat. No. 5,799,206 to Kitagawa et al.

U.S. Pat. No. 6,522,421 to Chapman et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold
Patent Examiner
Art Unit 2157


ABDULLAHISALAD
PRIMARY EXAMINER

AMG